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The Lady or The Tiger

By Frank R. Stockton.

In the very olden time, there lived a semi-barbaric king, whose ideas, though somewhat polished and sharpened by the progressiveness of distant Latin neighbors, were still large, florid, and untrammelled, as became the half of him which was barbaric. He was a man of exuberant fancy, and, withal, of an authority so irresistible that, at his will, he turned his varied fancies into facts. He was greatly given to self-communing; and when he and himself agreed about anything, the thing was done. When every member of his domestic and political systems moved smoothly in its appointed course, his nature was bland and genial; but whenever there was a little hitch, and some of his orbs got out of their orbits, he was blander and more genial still, for nothing pleased him so much as to make the crooked straight and to crush down uneven places.

Among the borrowed notions by which his barbarism had become seimified was that of the public arena, in which, by exhibitions of manly and beastly valor, the minds of his subjects were refined and cultured.

But even here the exuberant and barbaric fancy asserted itself. The arena of the king was built, not to give the people an opportunity of hearing the rhapsodies of dying gladiators, nor to enable them to witness the inevitable conclusion of a conflict between religious opinions and hungry jaws, but for purposes far better adapted to widen and develop the mental energies of the people. This vast amphitheater, with its encircling galleries, its mysterious vaults, and its unseen passages, was an agent of poetic justice, in which crime was punished and virtue rewarded by the decrees of an impartial and incorruptible chance.

When a subject was accused of a crime of sufficient importance to interest the king, public notice was given that on an appointed day the fate of the accused person would be decided in the king's arena—a structure which well deserved its name; for, although its form and plan were borrowed from afar, its purpose emanated solely from the brain of this man, who, every barleycorn a king, knew no tradition to which he owed more allegiance than pleased his fancy, and who ingrafted on every adopted form of human thought and action the rich growth of his barbaric idealism.

When all the people had assembled in the galleries, and the king, surrounded by his court, sat high up on his throne of royal state on one side of the arena, he gave a signal, a door beneath him opened, and the accused subject stepped out into the amphitheatre. Directly opposite him on the other side of the enclosed space, were two doors, exactly alike, and side by side. It was the duty and privilege of the person on trial to walk directly to these doors and open one of them. He could open either door he pleased; he was subject to no guidance or influence but that of the aforementioned impartial and incorruptible chance. If he opened the one, there came out of it a hungry tiger, the fiercest and most cruel that could be procured, which immediately sprang upon him, and tore him to pieces, as a punishment for his guilt. The moment that the case of the criminal as thus decided, doleful iron bells were clanged, great arena, and the vast audience, with bowed heads and downcast hearts, wended their way slowly homeward, mourning greatly that one so young and fair, or so old and respected, should have merited so dire a fate.

But, if the accused person opened the other door, there came forth from it a lady, the most suitable to his years and station that his majesty could select among his fair subjects; and to this lady he was immediately married, as a reward of his innocence. It mattered not that he might already possess a wife and family, or that his affections might be engaged upon an object of his own selection; the king allowed no such subordinate arrangements to interfere with his great scheme of retribution and reward. The exercises, as in the other instance, took place immediately, and in the arena. Another door opened beneath the king, and a priest followed by a band of choristers, and dancing maidens blowing joyous airs on golden horns and treading an epithalamie measure, advanced to where the pair stood, side by side; and the wedding was promptly and cheerily solemnized. Then the gay brass bells rang forth their merry peals, the people shouted glad hurrahs, and the innocent man, preceded by children strewn flowers on his path, led his bride to his home.

This was the king's semi-barbaric method of administering justice. Its perfect fairness is obvious. The criminal could not know out of which door would come the lady; he opened either he pleased, without having the slightest idea whether, in the next instant, he was to be devoured or married. On some occasions, the tiger came out of one door, and on some out of the other. The decisions of this tribunal were not only fair, they were positively determinate; the accused person was instantly punished if he found himself guilty; and, if innocent, he was rewarded on the spot, whether he

liked it or not. There was no escape from the judgments of the king's tribunal.

The institution was a very popular one. When the people gathered together on one of the great trial days, they never knew whether they were to witness a bloody slaughter or a hilarious wedding. This element of uncertainty lent an interest to the occasion which it could not otherwise have attained. Thus, the masses were entertained and pleased, and the thinking part of the community could bring no charge of unfairness against this plan; for did not the accused person have the whole matter in his own hands?

This semi-barbaric king had a daughter as blooming as his most florid fancies, and with a soul as fervent and imperious as his own. As is usual in such cases, she was the apple of his eye, and loved by him above all humanity. Among his courtiers was a young man of that fineness of blood and lowness of station common to the conventional heroes of romance who love royal maidens. This royal maiden was well satisfied with her lover, for he was handsome and brave to a degree unsurpassed in all this kingdom; and she loved him, with an ardor that had enough of barbarism in it to make it exceedingly warm and strong. This love affair moved on happily for many months, until one day the king happened to discover its existence. He did not hesitate nor aver in regard to his duty in the premises. The youth was immediately cast into prison, and a day was appointed for his trial in the king's arena. This, of course, was an especially important occasion; and his majesty, as well as the people, was greatly interested in the workings and development of this trial. Never before had such a case occurred; never before had a subject dared to love the daughter of a king. In after years such things became commonplace enough; but then they were, in no slight degree, novel and startling.

The tiger-cages of the kingdom were searched or the most savage and relentless beasts from the fiercest monster might be selected for the arena; and the ranks of maiden youth and beauty throughout the land were carefully surveyed by competent judges, in order that the young man might have a fitting bride in case fate did not determine for him a different destiny. Of course, everybody knew that the deed with which the accused was charged had been done. He had loved the princess, and neither he, she, nor any one else thought of denying the fact; but the king would not think of allowing any fact of this kind to interfere with the workings of the tribunal, in which he too such great delight and satisfaction. No matter how the affair turned out, the youth would be disposed of; and the king would take an aesthetic pleasure in watching the course of events, which would determine whether or not the young man had done wrong in allowing himself to love the princess.

The appointed day arrived. From far and near the people gathered, and thronged the great galleries of the arena; and crowds, unable to gain

(Continued on page fifteen.)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE TERRITORY AND DISTRICT OF HAWAII.

THE UNITED STATES OF AMERICA, Plaintiff, vs. HAWAIIAN SUGAR COMPANY, et al., Defendants. THE PRESIDENT OF THE UNITED STATES, GREETING:

HAWAIIAN SUGAR COMPANY, a corporation organized and existing under and by virtue of the laws of the Territory of Hawaii; TERRITORY OF HAWAII; ELIZA SINCLAIR, JANE R. GAY, HELEN McH. ROBINSON, FRANCIS GAY and AUBREY ROBINSON, copartners doing business under the firm name and style of GAY & ROBINSON; WILLIAM RENNY WATSON; GEORGE W. MACFARLANE, attorney in fact for WILLIAM RENNY WATSON; MARY RENNY WATSON; MRS. MARY SHELBY; MARY MARGARET WATSON; SPENCER SHELBY; and CLARA KILAUEA, ELSA HILO, MARION MAKENA, DAVID PUULOA, ALBERT PUNAHOU, ROBERT WAHIAWA, ALEXANDER LANAI, GEORGE KEWALO, HENRY KAMALO, WALTER HAWAEE and PHILIP LAHAINA, unknown owners and claimants.

You are hereby directed to appear, and answer the Petition in an action entitled as above, brought against you in the District Court of the United States, in and for the Territory of Hawaii, within twenty days from and after service upon you of a certified copy of Plaintiff's Petition herein, together with a certified copy of this Summons.

And you are hereby notified that unless you appear and answer as above required, the said Plaintiff will take judgment of condemnation of the lands described in the Petition herein and for any other relief demanded in the Petition.

WITNESS THE HONORABLE SANFORD B. DOLE and THE HONORABLE A. G. M. ROBERTSON, Judges of said District Court, this 5th day of January, in the year of our Lord one thousand nine hundred and eleven and of the Independence of the United States the one hundred and thirty-fifth.

(Seal)

(Sgd.) A. E. MURPHY
Clerk.

(Endorsed)
"No. 71. DISTRICT COURT OF THE U. S. for the Territory of Hawaii. THE UNITED STATES OF AMERICA vs. HAWAIIAN SUGAR COMPANY, et al. SUMMONS. ROBT. W. BRECKONS, and WILLIAM T. RAWLINS, Attorneys for Plaintiff."

UNITED STATES OF AMERICA, DISTRICT OF HAWAII: ss.

I, A. E. MURPHY, Clerk of the District Court of the United States of America, in and for the Territory and District of Hawaii, do hereby certify the foregoing to be a full, true and correct copy of the original Summons in the case of THE UNITED STATES OF AMERICA vs. HAWAIIAN SUGAR COMPANY, et al., as the same remains of record and on file in the office of the Clerk of said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District Court this 17th day of January, A. D. 1911.

A. E. MURPHY,
Clerk of United States District Court, Territory of Hawaii.
By F. L. DAVIS,
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